

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Jose ZARAGOZA-Mora

Defendant.

Magistrate Case No. **07 MJ 2259**

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section 1326

Attempted Entry After

Deportation (Felony)

The undersigned complainant being duly sworn states:

On or about **September 18, 2007**, within the Southern District of California, defendant **Jose ZARAGOZA-Mora**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, attempted to enter the United States with the purpose; i.e. conscious desire, to enter the United States at the **San Ysidro, California Port of Entry**, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT

Eric Neddermeyer, U.S. Customs and Border  
Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **18<sup>th</sup>** DAY OF  
**SEPTEMBER 2007**.



UNITED STATES MAGISTRATE JUDGE

**PROBABLE CAUSE STATEMENT**

On September 18, 2007, at approximately 0700 hours, at the San Ysidro, California Port of Entry, Jose ZARAGOZA-Mora (Defendant) attempted to elude inspection into the United States from Mexico by being concealed in the trunk of a maroon Volkswagen Passat sedan bearing Mexican license plates. The Customs and Border Protection Officer conducted a cursory inspection of the vehicle, which revealed the Defendant concealed in the trunk.

In secondary inspection the Defendant was queried by fingerprint and photo through the Integrated Automated Fingerprint Analysis System (IAFIS) and the results linked the Defendant to an FBI number and revealed the Defendant as being a previously deported alien and a citizen of Mexico.

Immigration Service records checks, including the Deportable Alien Control System (DACS) and the Central Index Service identified the Defendant as a deported alien. DACS information indicates that the Defendant was deported back to Mexico on or about June 15, 2004. Immigration Service records contain no evidence that the Defendant has applied for or received permission from the Attorney General of the United States, or the Secretary of the Department of Homeland Security to legally re-enter the United States.